

SENSIENT TECHNOLOGIES)
CORPORATION, et al.,)
)
Plaintiffs,)
)
vs.) Case No. 4:08CV00336 ERW
)
SENSORYEFFECTS FLAVOR COMPANY,)
et al.,)
)
Defendants.)

This matter comes before the Court on Defendants’ Motion to Compel Initial Disclosures and Discovery Responses [doc. #51]. Defendants ask that the Court compel Plaintiff to provide complete initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1)(A)(i), answer interrogatories and produce documents. A hearing was held on October 21, 2008, and the Court heard arguments from the Parties on the pending Motion.

Under the Federal Rules, Plaintiffs must automatically provide Defendants with “the name and, if known, the address and telephone number of each individual likely to have discoverable information - - along with the subjects of that information - - that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment.” In their initial disclosures, Plaintiffs listed the names of several defendants and two of Plaintiffs’ employees. Plaintiffs did not provide addresses, telephone numbers, or subjects of information for any of these individuals. This response is obviously incomplete as Plaintiffs certainly know the phone number and addresses of their two employees. The Court therefore orders Plaintiffs to supplement this response, disclosing the names of all persons who to their knowledge, are likely

to have discoverable information. Where Plaintiffs know the addresses, phone numbers or subjects of information for these individuals, that information must also be disclosed. Plaintiffs have fifteen (15) days to provide Defendants with this information.


Fed. R. Civ. P. 26(b)(1) provides that the Parties to an action “may obtain discovery regarding any nonprivileged matter that is relevant to any party’s claim or defense.” Fed. R. Civ. P. 26(b)(1). The Court has reviewed the interrogatories and requests for production, and finds that Plaintiff’s answers and objections to Defendant’s discovery requests fail to comply with this rule. The current responses to these interrogatories are unresponsive, argumentative and inadequate. The Court compels Plaintiff to answer Interrogatories 3, 4, 5, 6, 9 and 16. Plaintiffs have fifteen (15) days to fully and responsively answer these interrogatories.

Additionally, the Court compels Plaintiff to provide the copies and documentation Defendants seek in their Requests for Production 30, 31, 34, 35, 40 and 41. Plaintiffs’ objections to these Requests for Production are overruled, and Plaintiffs have fifteen (15) days to respond to these requests.

Accordingly,

IT IS HEREBY ORDERED that Defendants’ Motion to Compel Initial Disclosures and Discovery Responses [doc. #51] is **GRANTED**. Plaintiffs must provide these disclosures, interrogatory answers and documents to Defendants within fifteen (15) days.

Dated this 23rd Day of October, 2008.


E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE